

AMENDED IN SENATE MAY 4, 2011

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AMENDED IN SENATE MARCH 30, 2011

SENATE BILL

No. 173

**Introduced by Senator Simitian
(Principal coauthor: Senator Alquist)**

February 7, 2011

An act to add Section 687 to the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 173, as amended, Simitian. Healing arts: mammograms.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975 (Knox-Keene Act), provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. Existing law provides for the licensure and regulation of health insurers by the Department of Insurance. Existing law provides for the regulation of health care practitioners, as defined. Existing law requires health care service plan contracts, except specialized health care service plan contracts, and certain health insurance policies to provide a certain level of coverage for mammograms and breast cancer screening and diagnosis, as specified. *Existing federal law requires a written report of the results of each mammography examination and requires a summary of that report to be sent to the patient within a specified time period.*

This bill would require, *under specified circumstances*, a health care practitioner who performs a mammography examination under those provisions to include in the mammography report specified information

and, when applicable, summary of the written report sent to the patient a specified notice on breast density.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 687 is added to the Business and
2 Professions Code, to read:

3 687. (a) A health care practitioner who performs a
4 mammography examination pursuant to Section 1367.65 of the
5 Health and Safety Code or Section 10123.81 of the Insurance Code
6 shall include in the mammography report information about breast
7 density, based on the Breast Imaging Reporting and Data System
8 established by the American College of Radiology. When
9 applicable, the report shall also include the following notice: *shall,*
10 *if a patient has heterogeneously dense breasts or extremely dense*
11 *breasts based on the Breast Imaging and Reporting Data System*
12 *established by the American College of Radiology, include in the*
13 *summary of the written report sent to the patient, as required by*
14 *federal law, the following notice:*

15
16 “If “Because your mammogram demonstrates that you have
17 dense breast tissue, which could hide small abnormalities, you
18 might benefit from supplementary screening tests, depending on
19 your individual risk factors. A report of your mammography
20 results, which contains information about your breast density, has
21 been sent to your physician’s office and you should contact your
22 physician if you have any questions or concerns about this report.”
23

24 (b) “Health care practitioner” means a person licensed or
25 certified pursuant to this division or licensed pursuant to the
26 Osteopathic Act.